Standing Committee on Finance

Invocation of the Emergency Act and Related Measures

March 7, 2022

N.B.: The Committee can request a copy of all witness materials.

House of Commons Standing Committee on Finance (FINA)

Invocation of the Emergency Act and related measures

March 7, 2022

16:00 to 17:30

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House of Commons Standing Committee on Finance (FINA)

March 7, 2022
16:00-17:30
via Zoom

RCMP Appearance: *INVOCATION OF EMERGENCIES ACT AND RELATED MEASURES*

Key Messages

- The *Emergencies Act* allowed law enforcement and monitoring agencies to work more closely with Canadian financial institutions; which has enhanced the effectiveness of law enforcement's investigations pertaining to the illegal convoy protests.
- The RCMP and its policing partners used the Emergency Economic Measures Order to strongly encourage individuals to leave the illegal protests and deter them from counselling others to commit criminal offences.
- The RCMP provided relevant information to financial institutions, who had the onus to determine which financial products should be frozen, pertaining to entities (i.e. individuals or companies) believed to be involved in illegal acts.

APPEARANCE

Official(s) from the RCMP are scheduled to appear before the House Standing Committee on Finance (FINA) regarding their study on the invoking of the *Emergencies Act* and Related Measures on March 7, 2022, from 16:00 to 17:30. Participant(s) include:

Royal Canadian Mounted Police

- Michel Arcand, Assistant Commissioner, Federal Policing Criminal Operations
- Denis Beaudoin, Superintendent, Financial Crime and Cybercrime

No other witnesses will be appearing before FINA on March 7.

STRATEGIC CONSIDERATIONS

In reviewing the transcripts of the February 22 and February 24, 2022 FINA meetings, where government officials appeared, it can be expected that the RCMP officials may be asked about:

- The freezing of accounts of those involved with the illegal blockades; specifically, the smallest denomination of donation that resulted in the freezing of an account;
- The process for the unfreezing of an account and how financial institutions would know that the subject of the order has ceased their unlawful activity;
- Whether an unlawful gathering that sought to interfere with critical infrastructure would result in the RCMP, under the *Emergencies Act*, seeking to have the bank accounts frozen for those involved;
- The sharing of information between the RCMP and insurance providers; and,

- Whether a precedent has been set by the RCMP's sharing of information with financial institutions.

It is also likely that the RCMP will be asked to provide details on "the flow of information between the RCMP or other sources of information before it gets to a financial institution so we can understand who touches certain information, where it ends up, and then where decisions are being made". Members may ask the RCMP to provide this information in writing, following the appearance.

BACKGROUND

The mandate of the Standing Committee on Finance is to study and report on all matters relating to the mandate, management and operation of selected federal departments and agencies, including the Department of Finance and the Canada Revenue Agency, and to conduct pre-budget consultations.

On February 17, 2022, FINA adopted the following motion:

> "The committee undertake an emergency study on the invocation of the Emergency Measures Act and related measures taken regarding the 2022 Freedom Convoy, and that:
>
> a) The study examine:
>
> i. The financing of the protest the blockades
> ii. The broadened scope of Canada's anti-terrorist financing laws;
> iii. The federal government's increased ability to interfere with the business of crowdfunding websites; including but not limited to new Financial Transactions and Reports Analysis Centre of Canada (FINTRAC) regulations with which crowdfunding websites must comply;
> iv. The ability of Canadian financial institutions to temporarily and selectively cease providing financial services to specific clients;
> v. broadly the increased powers given to Canadian financial institutions to share personal information on anyone suspected of involvement with the 2022 Freedom Convoy;
> vi. The long-term impacts of these measures on individual Canadians' financial futures;
> vii. Any other issue or topic related to the extension of powers or their effect on the Canadian financial system by the invocation of the Emergency Measures Act on February 14, 2022"

The motion identified several federal departments and agencies that the committee wanted to hear testimony from, including the Canada Revenue Agency, the Canadian Security Intelligence Service, the Department of Justice of Canada and the Department of Finance, and FINTRAC.

During the February 22 FINA meeting, the Committee adopted a motion which required weekly reporting on flagged or frozen bank accounts. With the revoking of the *Emergencies Act* on February 23, 2022, the need to provide FINA with this reporting was negated; the RCMP did not provide any material to the committee.

While FINA is undertaking this study on what led to the *Emergencies Act* being invoked, the *Emergencies Act* also includes a requirement for the establishment of a Special Joint Committee on the Declaration of Emergency to review the exercise of powers and the performance of duties and functions pursuant to the declaration of emergency that was in effect from Monday, February 14, 2022, to Wednesday, February 23, 2022. Additionally, the *Emergencies Act* requires that the government to call an inquiry into the circumstances resulting in the declaration of emergency within sixty days of its termination. The government must table the report of this inquiry in Parliament within 360 days after the end of the declaration.

GENERAL INFORMATION

Rounds of Questioning:

Members of the Committee are allotted six minutes to both ask questions and receive responses during the first round of questioning. In the second round (time permitting), the allotted time for questions and answers is reduced to five minutes.

- Typical order of questioning for the first round: Conservative, Liberal, Bloc, NDP.
- Typical order of questioning for the second round: Conservative then Liberal for five minutes, followed by 2.5 minutes each for the Bloc and NDP, and then another five minutes for Conservative and Liberal.

Departmental officials present at Committee are responsible for supporting the Minister's accountability in Parliament. As departmental officials are not primarily responsible for exercising the powers of the Crown, their relationship to Parliament is different from that of Ministers. While Ministers are responsible for political, partisan matters, and for defending public policies before Parliament, deputy heads and officials support Ministers in providing explanations and information on public policies that Ministers could not be expected to provide due to the level of detail or complexity.

When responding to questions from committee members, keep your answers brief and factual. Avoid taking a position, providing your opinion, stating your personal recommendations or speaking on behalf of others on a given issue. Do not divulge classified information, Cabinet confidences or any information that contradicts privacy laws.

N.B.: The Committee can request a copy of all witness materials brought into the Committee room. Ensure there are no references to Cabinet Confidences or other sensitive information.

Notable Statements from FINA Members

Pierre Poilievre (Conservative Party of Canada (CPC)): On February 16, 2022, MP Poilievre remarked that the financial measures of the *Emergencies Act* would "allow the government to invade the privacy, the freedoms and even the bank accounts of Canadians".

During debate of the *Emergencies Act* on February 20, 2022, MP Poilievre argued, "to freeze people's bank accounts is not just an attack on their finances but on their personal security."

Greg McLean (CPC): During debate on February 19, 2022, MP McLean expressed concern with the financial measures because, "Canada already has adequate laws under FINTRAC to address foreign funding coming into Canada and looking at it".

Gabriel Ste-Marie (Bloc Québécois (BQ)): During Question Period on February 17, 2022, MP Ste-Marie repeatedly asked the Deputy Prime Minister and Finance Minister how many of those participating in the Ottawa occupation had their bank accounts frozen.

Additionally, MP Ste-Marie contended on February 19, 2022, that existing laws were adequate to address the situation. He noted that the funding of illegal activities is prohibited under the Criminal Code and "the *Proceeds of Crime (Money Laundering) and Terrorist Financing Act* already authorizes financial institutions to freeze the proceeds of criminal activities or funds used to finance such activities".

Yvan Baker (Liberal Party of Canada (LPC)): In debate on February 19, 2022, MP Baker was supportive of the financial measures provided by the *Emergencies Act*, which he noted, "broaden[ed] Canada's anti-money-laundering and terrorist financing rules so that they can cover crowdfunding platforms such as cryptocurrency".

Julie Dzerowicz (LPC): In referencing what she described as "four key financial measures" from the *Emergencies Act*, MP Dzerowicz noted on February 19, 2022, "all of these new requirements and authorities will help mitigate the risks for Canadian financial institutions and crowdfunding platforms to transact illicit funds, increasing the quality and quantity of the intelligence received by FINTRAC in allowing us to stop the flow of funding to these illegal blockades".

Invocation of the Emergency Act and other measures

Parliamentary Appearance – House of Commons Standing Committee on Finance
March 07, 2022

RCMP OPENING REMARKS

- Good morning Mr. Chair and honourable members of the Committee.

- I am Assistant Commissioner Michel Arcand, responsible for the national picture of ongoing high priority federal policing criminal investigations, including financial crimes. I am here today to discuss the RCMP Federal Policing Program's use of the *Emergency Economic Measures Order.*

- I can say that from the Program's perspective, the measures available to law enforcement under the *Emergencies Act* and the Order were welcome.

- Under this Order, law enforcement and monitoring agencies were able to work more closely with Canadian financial institutions, and use financial measures to strongly encourage individuals to leave the illegal protests and deter the counselling of others to commit related criminal offences.

- This Order gave financial institutions the ability to freeze financial products of individuals and companies suspected of involvement in prohibited activities during the public emergency, and for law enforcement to share information with financial institutions for that purpose.

- Additionally, the Order broadened the scope of Canada's anti-money laundering / anti-terrorist financing rules to include crowdfunding platforms and payment service providers, including virtual currency.

- With the Order in effect, the RCMP worked closely with municipal and provincial partners to collect relevant information with regard to persons, vehicles and companies directly and/or indirectly involved in prohibited and illegal activity relating to the blockades, in particular the owners and drivers of vehicles who did not want to leave downtown Ottawa.

- The RCMP's Federal Policing Program leveraged real-time policing techniques from the Ontario Provincial Police and the Ottawa Police Service to validate and corroborate the presence of individuals in the illegal protest, and then acted as the central point of contact between police-derived information and the financial institutions.

- Through the receipt of this information, along with other information at law enforcement's disposal, financial institutions could then assess whether or not to take action.

- During the 8 days when the *Emergency Economic Measures Order* was in place – from February 15, 2022 to February 23, 2022, the RCMP disclosed information on numerous entities to:
    - the banks;
    - the Canadian Bankers Association;
    - the Investment Industry Regulatory Organization of Canada (IIROC);
    - the Canadian Securities Administration (CSA);
    - Credit Unions; and
    - the Mutual Fund Dealers Association.

- It is the RCMP's understanding that at least 257 accounts were frozen by financial institutions, and that the RCMP disclosed information on 57 entities to financial institutions and other listed financial entities.

- Additionally, the RCMP identified and disclosed 170 Bitcoin wallet addresses as receiving funds linked to the HonkHonkHodl crowdfunding campaign, which raised 20.7 Bitcoin, a value of between $1M to $1.2 Million CAD during the period when the *Emergencies Act* was in force.

- Many of these cryptocurrency wallet addresses were disclosed to Virtual Currency Money Service Businesses via a series of Cryptocurrency Alerts, noting that these e-wallets were linked to a joint RCMP and Ontario Provincial Police investigation, and directing these businesses to cease the facilitation of any transaction and to disclose any transaction information linked to the RCMP.

- The RCMP was also very clear to communicate that the measures under the Order **were not retroactive**, and to apply them only during the time the Order was in effect.

- Finally, it is important to note the *Emergency Economic Measures Order* does not contain any enforcement provisions; therefore, no charges were laid by the RCMP under this Order.

- As per the powers of the Order, the RCMP was in constant communication with financial institutions to ensure they were provided with the most up-to-date information possible on the status of entities of interest, so that financial institutions could make the most informed determination possible before taking action to freeze, or unfreeze, financial products within their holdings.

- The RCMP continues to instruct anyone inquiring about the process of unfreezing assets to contact their financial institution, as the authority for this action rests with them.

- To conclude, these measures enhanced the effectiveness of law enforcement's investigations pertaining to the blockades, and helped contribute to a peaceful and timely end to the public emergency.

- Thank you for your attention and I would be happy to take any questions you may have.

Parliamentary Appearance – House of Commons Standing Committee on Finance

March 07, 2022

Q & As

Q1: What kind of information could the RCMP share under section 6 of the *Emergency Economic Measures Order* (EEMO)?

The RCMP could, at its own discretion, proactively share any basic information, including personal information, with any of the listed entities in section 3 of the Order (e.g. banks, insurance companies or crowd funding platforms) where satisfied it would contribute in the implementation of the Order. However, there had to be a connection between the actions of the individual / entity and the conduct / activity that was prohibited under the Emergency Measures Regulations. The discretion to disclose must be carried out taking into consideration the fundamental rights and freedoms guaranteed to all Canadians.

For example, the RCMP could have provided basic information, including personal information such as the name and address of a truck driver who was participating in a prohibited protest, along with the information about the company they represent, to banks. Under the EEMO, the banks were required to search their files and determine if they had an account with that named truck driver and/or company, and if so, freeze that account.

In addition, the RCMP and law enforcement agencies continued to share information in accordance with existing investigation processes and practices.

IF PRESSED ON EXISTING AUTHORITIES

The RCMP is able to share information with law enforcement agencies in line with authorities granted to us by the *RCMP Act* and by the *Privacy Act*. This information sharing is done consistent with the fundamental rights and freedoms guaranteed to all Canadians.

Q2: How did the EEMO impact the RCMP?

The Order provided a mechanism for the RCMP, monitoring agencies, and financial entities described under section 3 of the order to share information related to the protests. Under the Order, the RCMP had the discretion to disclose information where the disclosure would have contributed to the application of the Order. As well, the order allowed the RCMP to receive information from financial entities who had the obligation to disclose it under certain circumstances.

Those circumstances, as defined by the Order, required banks and other listed financial service providers, to disclose the existence of property that they had reason to believe is owned, held or controlled by or on behalf of individuals or entities that were engaging in prohibited activity under the Emergency Measures Regulations, to the RCMP or CSIS. These entities were also mandated to disclose any information they may have had with respect to any transaction or proposed transaction.

This information was to be disclosed to the RCMP or CSIS without delay.

Q3: What enforcement measures/consequences did the EEMO contain?

The Order did not contain any criminal enforcement powers that the RCMP could have used. All consequences were carried out by financial institutions

Q4: Should there have been enforcement measures added to better equip the RCMP in these types of events?

The Order as it was written was used by law enforcement – that is, the RCMP and our policing partners – to strongly encourage individuals to leave the illegal protests and deter them from counselling others to commit criminal offences.

Adding additional enforcement measures, such as criminal enforcement powers, could have gone above and beyond the intent of the use of the *Emergencies Act*, which granted us the authorities necessary to maintain the perimeter, restrict travel and ensure that we can continue to stop financial support and other assistance for this unlawful protest, while still supporting the fundamental rights and freedoms guaranteed to all Canadians.

Q5: What type of information sharing did the EEMO permit?

The Order required banks and other listed financial service providers to disclose certain information to the Commissioner of the RCMP or the Director of CSIS. In particular, they had to disclose the existence of any property in their possession or control that belongs to a person/entity who is involved in the blockades, or any transactions, including proposed transactions, relating to such property.

The obligation to disclose was limited in terms of what entities it applied to and was only triggered where there was reason to believe certain property belongs to people who are engaged in the illegal activities set out in the Regulations.

The EEMO also authorized the disclosure of information by all levels of government institutions to entities that were subject to the Order as defined in section 3 of the Order. The disclosing institution had to be satisfied that the disclosure would have contributed to the application of the EEMO. The discretion to disclose had to be carried out in accordance with the requirements of the Charter and the *Privacy Act*.

Q6: Did the RCMP provide any guidance to financial institutions?

The RCMP, policing partners, and financial institutions consulted on how to apply measures in a targeted and proportioned way – meaning the Order was used to strongly encourage individuals to leave the illegal protests and deter them from counselling others to commit criminal offences, without impacting people who were simply donors or had purchased convoy related material.

During this very exceptional situation, the RCMP and financial institutions had to work together to achieve clarity and understanding on a law immediately after it came into force. Although financial institutions had a duty to cease dealings with designated persons as defined under the Order, the final decision to identify those persons rested with financial institutions, based on the totality of information they held, including information they received from the RCMP while the Order was in effect.

Q7: What is the process with respect to the unfreezing of accounts?

On the afternoon of Feb 21 2022, the RCMP provided updated information to financial institutions about certain entities whose status may have changed pertaining to the illegal protest activity.

In some cases, the RCMP no longer had reason to believe that certain entities were engaged in prohibited conduct or activities as per the Order, or Emergency Measures Regulations, meaning those entities no longer met the criteria of a designated person.

Alongside previously provided information shared as per the Order, financial institutions could then use this new information to reassess their actions regarding the assets of these entities, and help inform decisions to unfreeze certain accounts.

Q:8 What information was provided? To what entities was that information provided?

The RCMP and its policing partners disclosed information on 57 entities - 18 individuals and 39 vehicles - during the period when the Order was in place – from February 15, 2022 to February 23, 2022. As well, the RCMP identified and disseminated 170 Bitcoin wallet addresses as receiving funds linked to the HonkHonkHodl crowdfunding campaign, which raised 20.7 Bitcoin, or between $1M to $1.2 Million CAD during the same period.

The RCMP provided information to Banks, the Canadian Bankers Association, the Investment Industry Regulatory Organization of Canada, the Canadian Securities Administration, Credit Unions, and the Mutual Fund Dealers Association.

Many of the cryptocurrency wallet addresses were disclosed to Virtual Currency Money Service Businesses via a series of Cryptocurrency Alerts, noting these wallet addresses were linked to an Ontario Provincial Police led investigation, and directing Virtual Currency Money Service Businesses to cease the facilitation of any transaction dealing with these addresses and to disclose any transaction information linked to these addresses to the RCMP.

Q9: How was information disclosed to entities providing financial services as defined in the Order under section 3?

The RCMP disclosed information directly to entities, as well as indirectly through associations, such as the Canadian Bankers Association or the Canadian Credit Union Association. These disclosures were done by e-mail and contained packages of information on designated persons or entities.

In the case of information sharing with respect to cryptocurrency, the RCMP disseminated information in the form of three Crypto Alerts. Those alerts went to cryptocurrency exchanges or virtual currency money service business both domestically and abroad. As well, the RCMP sent seven separate e-mails to four virtual currency money service businesses directly, to inform them of Bitcoin funds that had been deposited through their exchange.

Q10: Why did the number of Bitcoin wallet addresses change from 253 to 170 on the RCMP website?

Information on the financing of the convoy was developed in a dynamic and fluid environment. Based on further review, 170 Crypto-currency wallet addresses were identified as linked to the HonkHonkHodl crowdfunding campaign. This number reflects a more accurate calculation of wallet addresses linked to the protests.

Q11: Why does reported information on numbers keep changing?

The information that has been reported so far was reported in a dynamic environment that evolved rapidly over the course of the eight days that the Order was in place. Due to the lack of a formal reporting mechanism or developed format for reporting, the breakdown of that information is still being analyzed. Reporting done to date is the most fulsome information we have, but we expect more clarity as analysis and corroboration progresses.

Q12: How have insurance companies reacted to the Order?

On February 16th, the issue regarding how insurance companies would comply with the Order was raised – how to stop/suspend dealings with clients when engaged in an insurance coverage contract.

The objective remained throughout the intervention that people would leave on their own. The concern with sharing information with insurance companies was that would not have been possible and may have created liabilities for Canadians.

Considering the uncertainty surrounding the Order's application in this industry, the RCMP decided not share any information with the insurance industry as it could possibly have created more harm than good.

Q13: Was open source information used for investigative purposes?

The security community, including law enforcement, plays an important public safety role, and having a clear understanding of the Internet's use by those who may threaten that safety is essential.

As the illegal protests developed and continued, the RCMP utilized existing open source investigative tools to assess the online threat associated with the movement.

Q14: What is the status of the funds from GiveSendGo and GoFundMe?

Funds raised on the GoFundMe platform were frozen by the platform itself, while the GiveSendGo funds were frozen as the result of court order from the province of Ontario. We cannot provide any further update on those funds at this time.

Q15: What engagement occurred between the RCMP and crowdfunding platforms?

The RCMP had no engagement with crowdfunding platforms with respect to the illegal protests, either before the *Emergencies Act* was invoked, or throughout the period when the Act was in place.

Q16: What was the main limitation on the RCMP prior to the *Emergencies Act* being invoked?

Before the registration of the *Emergency Measures Regulations* that followed to the invocation of the *Emergencies Act*, the RCMP did not have jurisdiction to actively participate in enforcement activities to maintain the perimeter in Ottawa.

We did however engage with the Ottawa Police Service and the Ontario Provincial Police to offer our assistance if they needed it, which also contributed to the RCMP's ability to maintain situational awareness.

Q17: What were the roles and responsibilities of the RCMP, the Ontario Provincial Police, and the Ottawa Police Service under the Order?

The *Emergencies Act* and the Order allowed law enforcement and monitoring agencies to work more closely with Canadian financial institutions. RCMP offered to both police of jurisdiction that Federal Policing Criminal Operations would provide a central point of contact that will channel the names of the entities to financial institutions.

Ottawa Police Service and Ontario Provincial Police conducted criminal surveillance and collected information on protestors directly participating in the illegal protest. Both the OPS and OPP provided information to the RCMP on persons of interest, and where possible – given the dynamic and fluid nature of the environment - the RCMP assessed and then forwarded that information to relevant financial institutions.

Q18: Is the RCMP hesitant to take on labour-intensive, time consuming cases?

RCMP Federal Policing initiates major projects on a regular basis. This is the mandate of RCMP Federal Policing. These major projects include national security related files such as terrorism or other acts of extreme violence, transnational and serious organized crime files including money laundering and border integrity, and cyber-enabled crime committed by domestic or international cybercrime networks. These types of investigations often span multiple years and multiple jurisdictions, and can require significant resources.

It is difficult to say that one particular piece of information or intelligence led to a charge in a money laundering case, as they are multi-faceted and investigators use information and intelligence from a variety of sources. What I can say is that FINTRAC disclosures are used in virtually all of our major investigations into money laundering.

Q19: Does the RCMP have sufficient resources to undertake successful money laundering investigations? Will they be asking for more resources moving forward?

The RCMP is one enforcement arm in Canada's Anti-Money Laundering/Anti-Terrorist Financing Regime, which is led by the Department of Finance, and includes a total of 13 Government of Canada organizations. We work with regime partners in a number of fora to identify and address challenges across the regime, with the goal of enhancing the capacity and effectiveness within the entire Regime.

One of the most important challenges the Regime is addressing is how partners within the Regime can share information in an effective, timely manner. This work includes partners from the private sector, as they are key partners in combatting illicit financial activity and hold vast amounts of information. The information sharing that happened under the implementation of the *Emergency Economic Measures Order* demonstrated the power of information sharing in identifying and disrupting illegal activity.

Q20: What is the RCMP doing in response to rural 'Freedom Convoy' encampments gathering outside the city of Ottawa's borders?

The RCMP along with Ontario provincial and municipal police forces are monitoring encampments outside of Ottawa in Arnprior, Embrun, Russell and Vankleek Hill. Demonstrators have been given access by the land owners to camp out on multiple private property farming areas. As of February 23rd, the demonstrators are doing nothing illegal as there are no by-laws against camping in farming areas. Even if demonstrators' encampments do not adhere to municipal zoning bylaws, enforcement will be outside of RCMP's jurisdiction as it would be a bylaw matter.

Tips for Responding to Parliamentary Committee Questions

The Chair of a parliamentary committee is responsible for recognizing members and witnesses who seek the floor, and ensuring that any rules established by the committee concerning the apportioning of speaking time are respected.

When witnesses appear before a parliamentary committee, remember that you are there at their request.

General Tips for Responding to Committee Questions

Committee appearances can be stressful events, especially if the dynamics amongst the committee members themselves are challenging. The Government Affairs Unit can help to coach witnesses and make suggestions on how to formulate responses during the appearance.

The following are some general guidelines to keep in mind as you prepare.

- Succinctly respond to committee members' questions through the Chair of the committee. This means that you direct your responses and questions to the Chair of the committee, not the MP or Senator that is asking. MPs and Senators will object if answers are too long, or do not address the question.
- If you are appearing with officials from other federal departments/agencies, agree beforehand which type of questions will be handled amongst each department/agency.
- If the committee members engage in a heated discussion or a back-and-forth across the table, remain silent until the Chair has brought the meeting back to order. It is appropriate to ask for the member's question to be re-stated if need be.
- Regardless of the member's tone in posing the question, always respond to the question politely, respectfully and in a neutral tone.
- Do not interrupt the committee member, even if they change the course of their question multiple times or seem to be rambling on. You may wish to take notes as the member is speaking so that you can tailor your answer accordingly.
- Once the member has finished speaking, make sure you understand the question before answering. Ask for clarification from the Chair or re-state part or the entire question as you understand it.
- Keep your answers brief and factual. Give the committee member the opportunity to ask a follow up question if they wish.
- If you are not sure that you have covered the information that the committee member is looking for, ask "does this answer your question"?

- Use plain language and avoid using acronyms. Your goal is to inform the committee, and using overly technical language or bureaucratic jargon will only confuse or cloud the message you are trying to communicate.
- Avoid contradicting the Minister, senior government officials or the government's policy and taking a position, providing your opinion, stating your personal recommendations or speaking on behalf of others on a given issue.
    - It is ok to discuss what the Minister has publically said on the subject. Any relevant comments from the Minister on the subject will be included in the briefing material prepared by the Government Affairs team.
- Do not divulge classified information, Cabinet confidences or any information that contradicts privacy laws.
- If providing opening remarks, deliver them at a steady pace. Remember that interpreters are on the other end translating live. If you are going too fast, the Chair will interrupt and ask you to slow down.
- Use your first language unless you are fully proficient in both official languages, because it will allow you to be more nuanced and precise.

If You Do Not Know the Answer to a Question

Do not answer in areas that you are not an expert. You may:

1. State that you are not the expert, and if you are comfortable and have the information to do so, attempt to head off the question.

Sample Response: "*Mr./Madam Chair, I am not the expert on that policy matter, however, I can tell you that in 2015, there were 72,039 impaired driving incidents, 3,100 (4%) of which involved drug-impaired driving."*

2. State that you are not the expert and offer to get back to the committee in writing.

Sample Response: "*Mr./Madam Chair, I am not the right person to answer that question, but if the committee wishes, I would be happy to take that question back and have the RCMP provide a written response"*.

3. State that you are not the expert and suggest that the committee re-direct the question to the department who may be best placed to answer the question.

Sample Response: "*Mr./Madam Chair, I am not the right person to answer that question. Should the committee wish more information on that topic, I would suggest contacting the Department of Justice who are leading on that issue".*

4. Ask that political positions be re-directed to the Minister.

Sample Response: "*Mr./Madam Chair, I cannot speak to decisions regarding the course of action. I would respectfully suggest that the Honourable Member's question would be best answered by the Minister of Public Safety".*

Handling Difficult Questions

The dynamics inside a committee room can sometimes be difficult to predict or manage depending on the personalities present and/or the issue being studied. It is not uncommon for committee members to become heated and even antagonistic in their questioning of a witness. Be conscious of your body language and facial expressions (stay neutral) and control your responses.

The following examples are designed to illustrate how a witness may handle these situations and still provide an answer in a calm, objective way.

If the question is hostile, position your statement and continue. (Sample Response: "*Looking at it from a broader perspective, I would suggest that the statistical evidence supports the change in the program.*"), or simply shut down the question with "*I appreciate your point of view*" and move on.

If the question is inflammatory or false or contains unjustified assumptions, respond with an objective fact. (Sample Response: "*Mr./Madam Chair, I respectfully disagree with that comment and think it would be useful to share with the Committee some facts we have on the issue*.")

If a parliamentarian launches a personal attack, shut down the issue quickly in a self-confident and firm way then get right back on topic. (Sample Response: "*I'm not sure what the member would like to know Mr./Madam Chair (*smile and pause*), but if the question relates to our consultations with our stakeholders then…*")

Navigating the Trouble Spots

Maintaining control of the conversation is the key to a smooth appearance. Here are some common situations that can cause witnesses to feel uneasy.

1. Constant interruptions by the committee member, especially when they perceive they are not getting the information they want to hear.

Strategy: Do not interrupt. Wait until the member is finished then continue with, "*If I may finish my answer to the Member's previous question first…*"

2. Being blind-sided by a question completely unrelated to the topic at hand.

Strategy: Use a two-step approach. Try beginning with, "Mr./Madam Chair, I don't see how this issue is related to what we are talking about here today." If the member

persists, then, “Mr./Madam Chair, I am not the right person to answer that question, but if the committee wishes, I would be happy to take that question back and have the RCMP provide a written response.”

3. Rapid fire questions about several topics. Members often do this to try to maximize their time allocation.

Strategy: Do not let it overwhelm you. “*Mr./Madam Chair, the member raises many different issues. I rely on your direction here. It may be more helpful to the committee if I could address one issue at a time.*”

4. Questions/assertions based on incorrect information. Because members have their own researchers and hear testimony from different sources, it is not uncommon for them to put forth a piece of information to see how you respond.

Strategy: Do not take a defensive position against incorrect information; rather correct the member at the earliest opportunity. “*Mr./Madam Chair, I would first like to address the statistics quoted by the Senator. The accurate numbers are*…”

5. Silence (after responding to a question). This is a common strategy when the committee is trying to get you to say more than you are comfortable saying.

Strategy: Provide a complete response, and then let the silence happen. Nod slightly and wait with anticipation for the next question. This signals that you are confident that you have provided as much information as needed.

Impact of Minority Government on Committees

A minority government changes the dynamics of committee proceedings. It is not a predictable environment and the Government has little control over how committees operate. There is an increase in requests for public servants to appear. Individuals appearing before parliamentary committees will need to be particularly skillful in providing non-partisan information that may not always be popular with committee members.

Virtual Parliamentary Committee Appearances

Due to the COVID-19 pandemic, Parliamentary committee appearances are being conducted virtually. Some guidance is provided below to help prepare for the virtual appearance.

Before the scheduled appearance, there will be two technical tests done by the House of Commons. The first one is a more extensive testing and should be done as early as

possible, while the second is an audio test on the day-of the meeting. Senior officials are expected to sign into the meeting 15-20 minutes early to complete the audio testing.

During the appearance:

- Make sure to change your language option on the Zoom app if you wish to switch languages while speaking. If you're speaking in English, make sure your 'language' selection is English; and French vice-versa. This assists the interpreters with the simultaneous interpretation of your testimony.
- Ensure the microphone is no further than one inch away from your mouth when you are using a wired headset.
- Dress and act appropriately at all times since you are expected to have your camera on for the duration of the meeting.
- Ensure that all devices being used to participate in the meeting are plugged in and that the video and audio setting are set correctly.

Note that unlike in-person meetings, it will be difficult to read committee members' body language and facial expressions, so avoid presumptions that may be implied in language.

Appearances for Clause-by-Clause Consideration of a Bill

On rare occasions, the RCMP may be invited to appear before a committee for clause-by-clause consideration of a bill. During these appearances, officials may be asked to discuss the effect of potential amendments, sometimes without having seen the amendments in advance. Parliamentarians may ask officials for their opinions on amendments. In this case, officials need to focus on the effect of the amendment (and they can say whether it would be contrary to the Government's approach on the bill), rather than their opinion of the amendment.

STANDING COMMITTEE ON FINANCE
(FINA)

Committee Profile

Liberal

Yvan Baker

Terry Beech

(Parl. Sec.)

Sophie Chatel

Julie Dzerowicz

Peter Fonseca

(Chair)

Heath MacDonald

Conservative

Adam Chambers

Greg McLean

(Vice Chair)

Pierre Poilievre

Jake Stewart

Bloc Québécois

Gabriel Ste-Marie

(Vice Chair)

New Democrat

Daniel Blaikie

MANDATE

The mandate of the House of Commons Standing Committee on Finance is to examine and enquire into all matters referred to it by the House of Commons, to report from time to time and, except when the House otherwise orders, to send for persons, papers and records, as it operates in accordance with its mandate.

As part of its mandate, the Standing Committee on Finance is empowered to study and report on all matters relating to the mandate, management and operation of the Department of Finance and the Canada Revenue Agency.

The Standing Committee on Finance also has the responsibility to consider budgetary policy. In particular, commencing on the first sitting day in September of each year, the Committee is authorized to consider and report on proposals regarding the budgetary policy of the Government, commonly referred to as “pre-budget consultations”. The ensuing Committee report on pre-budget consultations is traditionally tabled in the House of Commons in early December.

In each parliamentary session, the Committee’s work may include:

- pre-budget consultations
- briefing sessions by departmental officials on federal programs
- examination of planned expenditures of the Department of Finance and the Canada Revenue Agency (i.e., main, interim and supplementary estimates)
- a review of Order in Council appointments
- a review of *Monetary Policy Reports* of the Governor of the Bank of Canada
- a review of the Minister of Finance’s economic and fiscal update
- consideration of proposed legislation
- special studies on topics within the Committee’s mandate

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Yvan Baker

Liberal – Etobicoke Centre (Ontario)

Biography

Yvan Baker has been the Member of Parliament for Etobicoke Centre since 2019.

Formerly Yvan was the Member of Provincial Parliament for Etobicoke Centre. As MPP, Yvan successfully advocated for the tunneling of the Eglinton West LRT, saved Silver Creek School for children with special needs, helped to stop the GTAA from permanently diverting flights over the Etobicoke community and secured expansions of local hospitals and schools.

Prior to being elected, Yvan taught Master of Business Administration students at the Schulich School of Business at York University. During that time Yvan also operated his own management consulting practice. Prior to starting his own practice, Yvan was a consultant with The Boston Consulting Group in Toronto and New York. He has consulted to clients in the public sector as well as Fortune 500 companies in a range of sectors including financial services, retail, energy, and telecommunications.

Yvan has volunteered for a variety of charitable and humanitarian organizations, including Leave Out Violence as Board Director; the Emerging Leaders Network where he worked with civic leaders on projects promoting Toronto's economic and social prosperity; and Global Grassroots where he supported emerging women leaders in Rwanda on projects that address issues such as lack of access to water, domestic violence and health education. In recognition of his service to the community Yvan was awarded the Queen's Diamond Jubilee Medal.

Yvan holds an MBA from the Tuck School of Business at Dartmouth College and a BBA from the Schulich School of Business at York University. Yvan is trilingual and is fluent in English, French and Ukrainian.

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Terry Beech

Parliamentary Secretary

Liberal – Burnaby-North Seymour (British Columbia)

Biography

Terry Beech is the Member of Parliament for Burnaby-North Seymour, having been elected in the 2015 and 2019 General Elections. He currently serves as the Parliamentary Secretary to the Deputy Prime Minister and Minister of Finance.

He lives with his wife, Ravi, and their two daughters Nova and Solar, in North Burnaby. Before being elected to Parliament, Terry was a small business owner, an educator, a city councillor, and a community advocate. In Ottawa, he has served in a variety of roles. He has previously served as Parliamentary Secretary to the Minister of Fisheries, Oceans, and the Canadian Coast Guard, Parliamentary Secretary to the Minister of Economic Development and Official Languages (B.C.), Parliamentary Secretary to the Minister of Science and Parliamentary Secretary to the Minister of Transport.

From a young age, Terry has been passionate about making a difference in his community and helping everyone reach their full potential. At the age of 18, Terry was elected to Nanaimo's City Council, and worked hard to provide young people with a voice at the decision-making table. Recognizing the importance of education, Terry enrolled at Simon Fraser University to pursue a double major in Business and Economics. After SFU, he completed his MBA at Oxford University. With his twin brother, Doug, Terry founded Twinbro Local Leaders, a non-profit focused on helping students access scholarships to attend post secondary. Terry and Doug then founded tech-company, HireTheWorld, before Terry decided to run to represent Burnaby North-Seymour in Parliament.

In Ottawa, Terry has worked directly on key pieces of legislation including the Fisheries Act, the Oil Tanker Moratorium Act, the Oceans Act, the Wrecked, Abandoned, or Hazardous Vessels Act, and more.

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Sophie Chatel

Liberal – Pontiac (Quebec)

Biography

A long-time public servant, eight-time marathon runner, and international tax expert, Sophie Chatel was born in Montreal, lived in different areas of Québec, and arrived in Pontiac with her family in 2002. After the September 2021 election, Pontiac voted in Sophie as the first female representative for her riding.

Sophie attended Law School at the University of Montreal from 1991-1994 and received a Master's degree in tax from the University of Sherbrooke in 1997. In addition to passing the bar, Sophie became a Chartered Professional Accountant (CPA) in 2000. After working as a tax advisor for several accounting and law firms throughout Quebec, Sophie joined the Canadian Revenue Agency's Ruling Directorate in 2002.

In the world of public service, Sophie shuffled between increasingly senior positions in the Legislative Policy and Appeals Branch, before a long tenure at the Department of Finance where she served as senior treaty negotiator. In 2017, Sophie moved to the Organisation for Economic Co-operation and Development (OECD) in Paris where she head the Tax Treaty Unit and led a working group made up of 136 countries. Sophie collaborated with international delegates, leading academics, economists and tax officials from various international organizations including the UN, OECD, World Bank and IMF, and tax directors of multinational companies. One thorny challenge of the 2017-2021 era was adapting the international framework for taxing the digital giants.

In May 2021, Sophie briefly returned to the Department of Finance to lead the drafting of the Canadian Digital Services Tax Act. On August 9, 2021 Sophie left the public service to run for Parliament. Although Sophie left many colleagues and friends behind, she felt called to join in to tackle the challenge of our generation: climate change.

Sophie Chatel and her husband Tom are the proud parents of twin sons: Evan and Vincent.

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Julie Dzerowicz

Liberal – Davenport (Ontario)

Biography

Julie Dzerowicz is the first female Member of Parliament to represent Davenport, having first been elected in 2015, and re-elected in 2019. She currently sits on the House of Commons Finance Committee. She is also the Chair of the National Immigration and Refugee Caucus, the Vice-Chair of the Canadian Section of ParlAmericas, Co-Chair of the Canada-Mexico Parliamentary Friendship Group, Co-Chair of the Canada-Portugal Parliamentary Friendship Group, Executive Committee of the Canada-Ukraine Parliamentary Friendship Group, Chair of the Canada – Turkey Parliamentary Friendship Group, and Vice-Chair of the NATO Parliamentary Association.

Julie is the child of immigrant parents who fled their respective countries due to poverty, war and discrimination, and who came to Canada to find a safe place to raise their children. Through her parents, Julie learned the importance of hard work and education as a means to achieving one's full potential.

During the 43rd Parliament, Julie is proud to have introduced the first guaranteed income bill in the House of Commons in Canada—Bill C-273—An Act to Establish a National Strategy for a Guaranteed Basic Income. If passed, the bill would have enabled basic income implementation pilots on a large scale in provinces and/or territories across Canada. The success of these pilots would help the federal government understand how best to implement a national program across Canada.

Prior to becoming a Member of Parliament, Julie spent more than 20 years in increasingly senior level positions in banking and biotechnology. A long-time passionate environmentalist, she co-founded Project Neutral in 2010, an environmental organization dedicated to helping individuals and communities reduce their carbon emissions. Julie received her MBA at the University of British Columbia (completing the degree at the London Business School) and her Bachelor of Commerce at McGill University.

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Peter Fonseca

Chair

Liberal – Mississauga East-Cooksville (Ontario)

Biography

Peter Fonseca, an Olympian who proudly represented Canada as a top Marathon runner, is the Member of Parliament for Mississauga East-Cooksville.

Peter is no stranger to public service, sitting in the Ontario Legislature as a Member of Provincial Parliament between 2003 and 2011. Peter served as a Cabinet Minister, taking on the Labour and Tourism & Recreation portfolios.

Peter has lived, worked and raised his family in his riding of Mississauga East-Cooksville for almost 20 years with his wife, Ward 3 Councillor Chris Fonseca, and their two children.

Peter is fluent in English and Portuguese.

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Heath MacDonald

Liberal – Malpeque (Prince Edward Island)

Biography

Heath MacDonald is the Member of Parliament for Malpeque.

After a successful career in the private sector and prior to his election to the House of Commons, Heath was elected MLA for Cornwall-Meadowbank. Subsequently, he was named Minister of Economic Development and Tourism, and Minister of Finance. Over 800 Island students attending university free, record setting seasons for our Tourism industry, and the signing of the Canadian Free Trade Agreement are just a few achievements that Heath is proud of.

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Adam Chambers

Conservative – Simcoe North (Ontario)

Biography

Adam Chambers is the Member of Parliament for Simcoe North.

After completing law and business school at Western University in London, Ontario and practicing law, Adam became a senior advisor to Minister Jim Flaherty in the Department of Finance. From this experience, Adam has developed an appreciation of the value of public service and the importance of fiscal responsibility. Since 2015, he has been a board member of the Waypoint Centre for Mental Health Care in Penetanguishene to promote mental health and give back to our community. Adam is also a founding board member of Building Up, a non-profit whose mission is to create employment opportunities in the skilled trades for at-risk youth. Prior to becoming our MP Adam was Assistant Vice President at one of Canada's largest financial institutions.

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Greg McLean

Conservative – Calgary Centre (Alberta)

Biography

Greg McLean is the Member of Parliament for Calgary Centre. First elected in 2019, Greg was re-elected in the election of September 20, 2021 to serve in the 44th Parliament.

Before being elected as MP for Calgary Centre in 2019, Greg worked as a financial professional for 20 years. His work put him in close contact with Alberta's vital oil and gas sector and with technology start-ups, giving him a first-hand understanding of what it takes for hard-working Calgarians to invest, risk, build, and succeed. It's the entrepreneurial spirit that drives our province and helps make our city great. Greg works hard to use his financial background to bring on-the-ground expertise in finance, business and resource development to Parliament. As a new MP, Greg has spent time working with his colleagues refining policy on resource development, including the significant strides the industry has taken toward sustainable development, and the many reasons that Canadians should prefer Canadian oil over environmentally and ethically inferior imports.

Greg has a Bachelor of Commerce Degree from the University of Alberta, and an MBA from the Richard Ivey School of Business at the University of Western Ontario.

Together, Greg and his wife Ruth Pogue have a combined family of four sons. Greg is a big music fan, and enjoys skiing, hiking, biking, and everything else Calgary and the Rocky Mountains has to offer.

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Pierre Poilievre

Finance Critic for the Official Opposition

Conservative – Carleton (Ontario)

Biography

Pierre Poilievre is a former Minister, a six-term Member of Parliament and currently the Conservative Shadow Minister for Jobs and Industry. Poilievre has served as Minister of Employment and Social Development, Minister of Democratic Reform and Minister Responsible for the National Capital Commission. He was also the Conservative Shadow Minister for Finance.

Poilievre lives in the Eastern Ontario village of Greely with his wife Anaida and their daughter Valentina. He grew up in Calgary and graduated from the University of Calgary with a degree in International Relations.

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Jake Stewart

Conservative – Miramichi-Grand Lake (New Brunswick)

Biography

Jake Stewart is the Member of Parliament for Miramichi-Grand Lake.

Stewart entered municipal politics in 2008, having run for the office of councillor in his hometown of Blackville. In 2010, he entered provincial politics. Stewart was a member of the Standing Committees on Education, Private Bills, Procedure, Public Accounts, and Chaired the Standing Committee on Legislative Officers. He has also been appointed by Jody Carr, then current Minister of Education to sit on the Ministerial Advisory Committee on Positive Learning and Working Environment (Anti Bullying). Reelected in 2014, Stewart is the opposition critic for Energy and Mines, and Aboriginal Affairs. He is a member of the Standing Committee on Economic Policy.

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Gabriel Ste-Marie

BQ Finance Critic

Bloc Québécois – Joliette (Québec)

Biography

Économiste de formation, Gabriel Ste-Marie est le porte-parole du Bloc québécois en matière de finances et de commerce international. Il a fait de la lutte aux paradis fiscaux son premier cheval de bataille en déposant dès son arrivée à Ottawa la motion M-42 pour boucher l'échappatoire fiscale de la Barbade, de loin la plus importante destination voyage de l'argent des grandes entreprises canadiennes. Le travail de M. Ste-Marie dans ce dossier avait d'ailleurs été relevé par France Inter en 2017. Le député de Joliette s'est également démarqué en se rendant à Washington pour coaliser des appuis aux industries québécoises de l'acier de l'aluminium aux États-Unis, en plus d'être publié dans des médias américains. Il a également défendu les producteurs sous gestion de l'offre du Québec en faisant adopter une motion unanime de la Chambre des communes demandant leur pleine indemnisation pour les pertes liées aux accords de libre-échange avec l'Europe, la zone Pacifique et l'Amérique du Nord.

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Daniel Blaikie

NDP Finance Critic

New Democratic Party – Elmwood-Transcona (Manitoba)

Biography

Daniel Blaikie was born and raised in Transcona; a blue-collar neighbourhood of Winnipeg built around the CN shops. He continues to live in Transcona with his wife Janelle and two sons, Robert and Noah.

An electrician by trade, Daniel earned his certification as a construction electrician after completing a Bachelor of Arts degree at the University of Winnipeg and a Master of Arts Degree in philosophy at Concordia University.

He brings to the House of Commons his experience working as a Minister's Assistant in the NDP government of Gary Doer, as well as his history as a proud member of the IBEW and active member of the labour movement.

First elected as the MP for Elmwood-Transcona in 2015, Daniel has since served in a number of positions including NDP Caucus Chair, International Trade Critic, Critic for Employment, Workforce Development & Disability Inclusion and Democratic Reform Critic.

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